

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 21, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-31479 - APPLICANT/OWNER: 2027 NORTH DECATUR, LLC

**** CONDITIONS ****

The Planning Commission (6-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-31478) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan/landscape plan date stamped 12/17/08 and building elevations date stamped 11/21/08, except as amended by conditions herein.
4. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include the following changes from the conceptual landscape plan:
 - a. Four, 5-gallon shrubs per tree.
 - b. 17 trees within the 15-foot wide east perimeter landscape buffer.
5. Parking lot landscaping and screening shall comply with the requirements of Title 19.10.010(J)(11), which states that parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty-six inches, a solid living hedge with an approximate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen.
6. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.

7. No signage is approved as a part of this review. All signage shall be reviewed at the time of permitting by the Building and Safety Department and must adhere to LVMC Title 19.14.
8. A Waiver from Title 19.08 is hereby approved, to allow alternative Building Placement and Orientation.
9. A Waiver from Title 19.12 is hereby approved, to allow a 24-foot section of the west perimeter landscape buffer to be 8 feet in width where 15 feet is required.
10. A reversionary parcel map consolidating the three parcels shall be recorded prior to issuance of any building or grading permits.
11. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
13. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
14. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
15. The trash enclosure must be fully enclosed and roofed using the same design theme and materials similar to those used in the main structure per LVMC Title 19.08.050(E)(4)(b) development standards.
16. A decorative block wall with 20% contrasting material at least six feet in height and meeting all requirements of Title 19.12.075 shall be provided where the subject site is adjacent to residentially zoned property. With the permission of the property owner(s), all existing walls adjacent to the residence along the western property lines shall be torn down and replaced, at the developers sole expense, with a new wall which shall measure a total of 6 to 8 feet in height above the finished grade of this site, including any retaining wall which may be required. The developer also agrees to assume all liability for any damage that may occur to any lateral walls due to construction of a new property line wall and to erect any temporary fence or wall that may be required during the construction of a new permanent wall.

17. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
18. Prior to the submittal of a building permit application, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

20. Submit a Reversionary Map for this site or coordinate with the City Surveyor to determine an acceptable mapping method; comply with the recommendations of the City Surveyor.
21. Dedicate an additional 5 feet of right-of-way for a total radius of 25 feet on the southwest corner of Decatur Boulevard and Sawyer Drive, dedicate additional right-of-way along Decatur Boulevard, in accordance with Standard Drawing #201.1 for a southbound right hand turn lane, dedicate a 30 foot radius on the northwest corner of Decatur Boulevard and Lake Mead Boulevard and grant an appropriate traffic signal chord easement on the northwest corner of Lake Mead Boulevard and Decatur Boulevard, behind the required radius, prior to the issuance of any permits. [Construction of the dedicated right turn lane is not required at this time.](#)
22. A Petition of Vacation for the existing right-of-way adjacent to the northwest corner of this site, outside of the required dedication area, shall be submitted to the City and shall be approved by the City Council prior to the submittal of any construction drawings for this site and if approved the Order of Vacation shall record prior to recordation of a Final Map overlying the area to be vacated.
23. Construct all incomplete half-street improvements on Sawyer Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
24. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

25. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
26. Extend public sewer in Sawyer Avenue to the western, edge of this site at a size, depth and location acceptable to the Collection System Planning section of the Department of Public Works. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
27. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
28. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
29. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a proposed 12,422 square-foot single-story retail development with Waivers of the Building Placement and Orientation Standards and to allow a 24-foot portion of the west perimeter landscape buffer to be 8 feet in width where 15 feet is required on 1.54 acres at the northwest corner of West Lake Mead Boulevard and North Decatur Boulevard.

In addition to this request, the applicant has submitted a request for a Rezoning from U (Undeveloped) zone [SC (Service Commercial) General Plan designation] to C-1 (Limited Commercial) on 0.51 acres at 2047 North Decatur Boulevard, and a request for a Special Use Permit for a proposed Beer/Wine/Cooler Off-Sale Establishment in conjunction with a proposed 2,944 square-foot convenience store on 1.54 acres at the northwest corner of West Lake Mead Boulevard and North Decatur Boulevard. As the requested Site Development Plan Review facilitates compatible in-fill development and complies with Title 19 development standards with the exception of the Building Placement and Orientation and the landscape Waiver requested, which is minor in nature, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/15/00	The City Council approved a request for a Site Development Plan Review (SD-0037-99) for a proposed 3,660 square-foot addition to an existing 1,839 square-foot Auto Repair Garage, Minor at 2027 North Decatur Boulevard. The Planning Commission recommended denial.
12/02/03	Code Enforcement processed a complaint (#7253) for a wooden sign erected in the planter area at 2027 North Decatur Boulevard. The case was resolved on 03/15/04.
06/16/04	The City Council approved a request for a Special Use Permit (SUP-4195) for an existing Auto Repair Garage, Minor at 2027 North Decatur Boulevard. The Planning Commission recommended approval.
08/03/05	The City Council approved a petition to Annex (ANX-6550) land generally located at the southwest corner of Decatur Boulevard and Sawyer Avenue. The Planning Commission recommended approval.

09/07/05	The City Council approved a request for a Site Development Plan Review (SDR-6940) for a proposed 12,776 square-foot commercial development and Waivers of the parking lot, foundation, and perimeter landscaping requirements and a Waiver of the commercial design standards to allow a 10-foot corner side setback where 15 feet is required, and request for a Rezoning (ZON-7051) from U (Undeveloped) Zone [SC (Service Commercial) General Plan designation] to C-1 (Limited Commercial) on 1.5 acres adjacent to the northeast corner of Lake Mead Boulevard and Decatur Boulevard. The Planning Commission recommended approval.
01/03/07	Code Enforcement processed a complaint (#48898) for illegal signage along Decatur Boulevard from Rancho Drive to Vegas Drive. The case was resolved on 01/22/07.
01/30/08	Code Enforcement processed a complaint (#61961) to check the area of Sawyer Avenue and North Decatur Boulevard for all possible violations. The case was resolved on 03/06/08.
02/04/08	Code Enforcement processed a complaint (#62035) for refuse and waste on the vacant lots located at 2037 and 2047 North Decatur Boulevard. The case was resolved on 02/21/08.
02/20/08	Code Enforcement processed a complaint (#62513) for the vacant lots located at 2037 and 2047 North Decatur Boulevard being used as dumping sites. The case was resolved on 02/21/08.
02/25/08	Code Enforcement processed a complaint (#62635) for people driving up to the vacant lots located at 2037 and 2047 North Decatur Boulevard and performing illegal dumping. The case was resolved on 03/06/08.
07/02/08	The City Council approved a Required Review of an approved Special Use Permit (SUP-4195) for an existing Auto Repair Garage, Minor at 2027 North Decatur Boulevard.
08/06/08	The City Council approved a Required Review of an approved Special Use Permit (SUP-4195) for an existing Auto Repair Garage, Minor at 2027 North Decatur Boulevard.
12/18/08	The Planning Commission recommended approval of companion items ZON-31477 and SUP-31478 concurrently with this application. The Planning Commission voted 6-0 to recommend APPROVAL (PC Agenda Item #10/ne).
<i>Related Building Permits/Business Licenses</i>	
08/22/96	A business license (#G02-00663) was issued for a minor auto repair facility at 2027 North Decatur Boulevard.
02/07/03	A business license (#T24-00396) was issued for flower sales at 2027 North Decatur Boulevard. The license was marked out on 05/16/07.
<i>Pre-Application Meeting</i>	
10/21/08	A pre-application meeting was held where the submittal requirements for a Site Development Plan Review were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

Field Check	
11/06/08	Staff performed a routine field check where graffiti was noted on the walls adjacent to the vacant lots, the perimeter landscaping around the existing automotive repair facility appeared to be deficient of the required shrubbery, and non-permitted temporary signage (A-frame type) was noted on the vacant parcel next to the automotive repair facility. The existing wall adjacent to the residential properties was not a solid wall. Portions of the block wall were missing and had been replaced with materials other than block.
Details of Application Request	
Site Area	
Net Acres	1.51 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Automotive Repair Garage & Vacant Land	SC (Service Commercial)	C-1 (Limited Commercial) & U (Undeveloped) zone [SC (Service Commercial) General Plan designation]
North	Restaurant	SC (Service Commercial)	C-1 (Limited Commercial)
South	Restaurant & Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single-Family Residences, Office, Retail, & Las Vegas Valley Water District Facility	ML (Medium Low Density Residential) & SC (Service Commercial)	R-PD8 (Residential Planned Development – 8 Units per Acre) & R-1 (Single Family Residential) & C-1 (Limited Commercial)
West	Office & Single-Family Residential	SC (Service Commercial) & DR [(Desert Rural) Clark County]	C-1 (Limited Commercial) & R-E [(Rural Estates) Clark County]

Special Districts/Zones	Yes	No	Compliance
Special Area Plan		X	N/A
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts	X		Y
A-O (Airport Overlay) District – 70 Feet	X		Y
Trails – Pedestrian Path	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

A-O (Airport Overlay) District – 70 Feet

No structure shall be erected, altered or maintained on any parcel within the boundaries of the Airport Overlay District that would violate the height limitations defined by the McCarran Airport Overlay Map and the North Las Vegas Airport Overlay Map. The subject site is within the 70-foot contour limitations and does not violate the height limitations. The tallest elevation of the proposed building is 30.67 feet in height and is in compliance with the Airport Overlay District.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following development standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	67,246 SF	N/A
Min. Lot Width	100 FT	137.78 FT	Y
Min. Setbacks			
• Front	20 Feet	85 Feet	Y
• Side	10 Feet	75 Feet	Y
• Corner	15 Feet	120 Feet	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50%	18%	Y
Max. Building Height	N/A	30.67 Feet	N/A
Trash Enclosure	Roofed, Gated & Screened	Described In Notes, Not Shown in Elevation	N*
Mech. Equipment	Screened	Not Shown	N*

**A condition has been added to ensure the proper construction of the trash enclosure in accordance with Title 19.08.050(E)(4)(b) development standards, and the proper screening of all mechanical equipment.*

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	Setback of 20 feet allowed for building height of 15 feet; thereafter one additional foot setback from west property line for each foot increase in height	Building height of 15 feet at 20-foot setback	Y
Adjacent development matching setback	10 Feet	20 Feet	Y
Trash Enclosure	50 Feet	51 Feet	Y*

**Two trash enclosures are proposed with this application. The trash enclosure on the northern end of the site is addressed in this chart, the proposed trash enclosure on the south portion of the site is adjacent to property zoned C-1 (Limited Commercial) and is not required to meet the residential adjacency standards.*

Pursuant to Title 19.12, the following Landscape, Wall, and Buffer standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree per 6 Uncovered Spaces	12 Trees	12 Trees	Y
Buffer:	1 Tree/20 Linear Feet (North)	7 Trees	7 Trees	Y
Min. Trees	1 Tree/20 Linear Feet (East)	17 Trees	13 Trees	N*
	1 Tree/20 Linear Feet (South)	5 Trees	5 Trees	Y
	1 Tree/20 Linear Feet (West)	19 Trees	33 Trees	Y
TOTAL		60 Trees	69 Trees	Y
Min. Zone Width:				
North	15 Feet		15 Feet	Y
South	15 Feet		15 Feet	Y
West	15 Feet		8 Feet**	N**
East	15 Feet		15 Feet	Y
Wall Height	6 to 8 Feet		None Provided	N***

**The proposed landscape plan is deficient the required trees along the east perimeter landscape buffer. A condition has been added to ensure compliance to the Title 19.12 Landscape Requirements.*

***The applicant is requesting a Waiver for a 24-foot portion of the 372-foot west perimeter landscape buffer to be 8 feet in width where 15 feet is required.*

****There is an existing wall along the west perimeter of the site abutting an R-E zoned property. A field check shows that the wall does not meet the minimum requirements of Title 19.12.075, which requires a solid perimeter wall of at least six feet in height adjacent to residentially zoned properties. A condition has been added to meet this requirement.*

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Convenience Store (with accessory Beer/Wine/Cooler Off-Sale use)	2,944 SF	1:175	68	3	67	4	Y
General Retail Store, Other than Listed (3500 Square Feet or More)	9,479 SF	1:175					
SubTotal			68	3	67	4	
TOTAL (including handicap)			71		71		

Waivers		
Request	Requirement	Staff Recommendation
Waiver of the Building Placement and Orientation Standards	Buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street.	Approval
Waiver to allow for a 24-foot portion of the 372-foot west landscape buffer to be 8 feet in width where 15 feet is required.	When adjacent to or across the street from an existing single family residential use or zoning district, the buffer shall be increased to 15 feet.	Approval

ANALYSIS

- **Land Use and Zoning**

The subject site is located within the Southwest Sector of the Las Vegas 2020 Master Plan with a land use designation of SC (Service Commercial). The Service Commercial category allows low to medium intensity retail, office, or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics.

The subject site is zoned C-1 (Limited Commercial), with the exception of 2047 North Decatur Boulevard. This parcel is currently zoned U (Undeveloped) zone [SC (Service Commercial) General Plan designation]. An associated Rezoning (ZON-31477) application has been submitted in conjunction with this Site Development Plan Review to Rezone this parcel to a C-1 (Limited Commercial) district. The C-1 District is intended to provide most retail shopping and personal services, and may be appropriate for mixed use developments. This district should be located on the periphery of residential neighborhoods and should be confined to the intersections of primary and secondary thoroughfares along major retail corridors. The C-1 (Limited Commercial) zoning district is consistent with the SC (Service Commercial) category of the General Plan.

- **Site Plan**

The site is located on the northwest corner of Decatur Boulevard and Lake Mead Boulevard. The site consists of three parcels. The parcel adjacent to the northwest corner of Decatur Boulevard and Lake Mead Boulevard is developed with an auto repair facility on the site. The two adjacent parcels are currently vacant. The site plan indicates that one 12,422 square-foot rectangular commercial retail building with seven suites will be located on site. The proposed building will be located toward the middle of the subject property, approximately 20 feet from the west property line.

Access to the site will be provided from two driveways. One driveway will front Decatur Boulevard and the second driveway fronts Lake Mead Boulevard. Decatur Boulevard and Lake Mead Boulevard will serve as the only means of ingress/egress for the entire site, with no access provided to Sawyer Avenue. The site will feature 24-foot wide drive aisles with a total of 71 parking spaces and two loading zones. Of the 71 parking spaces provided, four are handicapped accessible, one of which will be van accessible. Two trash enclosures have also been provided, one at the far south end, and the other at the far north end of the development.

- **Wall**

The applicant has indicated on the site plan both an existing six-foot and eight-foot tall block wall adjacent to the existing commercial and residentially zoned property along the west perimeter. A field check performed by staff verified the existence of the wall with

varying heights, but noted the existing wall was not to Title 19 standards. Portions of the block wall were missing and had been replaced with other construction materials such as chain link fencing and wood planks.

The far north end of the proposed site is adjacent to the front yard of a residentially zoned property that currently has an approximate five-foot fence consisting of two-feet of block and three feet of wrought iron. This fence separates the residential properties front yard from the proposed site. Two portions of the existing residential rear-yard block wall south of Sawyer Avenue is a wood “plank type” fencing material. The chain link fencing south of the wood planks is adjacent to the commercially zoned property west of the proposed site. From the point where the chain link fencing intersects with the auto repair facilities perimeter block wall, south to Lake Mead Boulevard, is an existing block wall that separates the proposed site (existing auto repair facility) from the commercially zoned property to the west. Per LVMC Title 19 requirements for wall standards and residential adjacency standards, a condition has been added requiring the applicant to provide a west perimeter wall.

- **Landscaping**

The site plan shows 24-inch box trees spaced at 10 feet on-center along the west perimeter of the proposed building, which exceeds the required spacing and required tree count for residential adjacency. The northern, southern, and eastern perimeters are adjacent to public streets, Lake Mead Boulevard, Sawyer Avenue, and Decatur Boulevard, respectively, and are required to have one 24-inch box tree every 20 linear feet. The northern and southern perimeters have met the tree requirements with seven and five 24-inch box trees, respectively. The eastern perimeter adjacent to North Decatur Boulevard is required to have a total of 17 trees. The site plan only depicts 13 24-inch box trees along this perimeter. A condition has been added to ensure compliance with Title 19.12. The applicant has proposed Aleppo Pines for the western perimeter adjacent to the single-family homes, and a mixture of California Pepper trees, Mesquite trees, Shoestring Acacias, and Mondel Pines for the remaining perimeters and parking lot landscape islands.

Additionally, five-gallon shrubs will be provided, however the quantities in which they are provided do not meet the requirements of Title 19.12; therefore, a condition has been added requiring the applicant to provide four, five-gallon shrubs for each tree required on site. No screening has been noted or provided between the parking lot and Lake Mead Boulevard, Decatur Boulevard, and Sawyer Avenue. Title 19.10 states that parking lots shall be screened from adjacent roadways by a low wall or berm with a maximum height of thirty-six inches, a solid living hedge with an approximate maximum height of thirty-six inches, or some other screening method that has been approved as part of a landscape plan and provides a continuous screen. A condition has been added requiring the parking lot landscaping and screening to comply with the requirements of Title 19.10.

- **Elevations**

The elevation plan depicts a one story structure with a maximum height of 30.67 feet, with a variety of storefront elevation heights and a variety of textures and colors. The elevations show horizontal parapets accented with decorative tube steel frames at the southern end of the building, and one towards the northern end of the building. The exterior building will have a stucco finish painted a natural tan color with tawny amber and soft blue painted accents. The storefronts will also have aluminum and slate accents. Residential Adjacency Standards require the proposed building to provide a 20-foot setback for a building height of 15 feet and one additional foot setback from property line for each foot increase in building height. The west elevation demonstrates a building height of 15 feet with a 20-foot setback. As the proposed building continues east, graduating roof lines reach a maximum height of 30.67 feet with an 84-foot setback while remaining in compliance with the 3:1 proximity slope for residential adjacency. Signage has been indicated on the elevations. No signage is being reviewed or approved as part of this application. All signage will be reviewed at time of permit.

- **Floor Plan**

The floor plan depicts 'typical' commercial retail space with six rectangular suites ranging in size from approximately 1,400 square feet to 2,000 square feet. These suites have their front entries oriented towards North Decatur Boulevard. The seventh and final suite at the far south end of the development is the proposed 2,944 square-foot convenience store. The proposed convenience store has a double door entry oriented towards the northwest corner of Decatur Boulevard and Lake Mead Boulevard. The total square footage of the proposed retail development is 12,422 square feet.

- **Waivers**

- **Building Placement and Orientation**

Per Title 19.08, "buildings on corner lots should be oriented to the corner and to the street fronts, and should make a strong tie to the building lines of each street unless the applicant can demonstrate by substantial and convincing evidence that to do so would be infeasible." The proposed building placement will provide more efficient screening of the parking area, as well as the intersection of Lake Mead Boulevard and Decatur Boulevard, from residentially zoned property to the west; therefore, staff is recommending approval of the Waiver request.

● **Landscape Buffer**

The applicant has requested a Waiver to allow a 24-foot section of the 372-foot west perimeter landscape buffer to be 8 feet in width where 15 feet is required. This 24-foot section of the landscape buffer is impacted by the need to provide a functional loading zone. Staff finds the Waiver request to be minor in nature and is recommending approval of the Waiver.

FINDINGS

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed development is compatible with the adjacent development and development in the area as adequate measures have been taken to buffer the proposed development from the adjacent single-family homes to the west by proposing 33 Aleppo Pine Trees within that landscape buffer where 19 trees are required.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan and Title 19, with the exception of requested Waivers of the Building Placement and Orientation Standards and to allow a 24-foot portion of the west perimeter landscape buffer to be 8 feet in width where 15 feet is required. Conditions have been added to ensure compliance with all wall and buffer standards.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

The site access and circulation is appropriate and will not negatively impact adjacent roadways. The site is accessed from Decatur Boulevard and Lake Mead Boulevard, both are 100-foot Primary Arterials as defined by the Master Plan of Streets and Highways. Additionally, the intersection of Decatur Boulevard and Lake Mead Boulevard is a signalized intersection which will enhance site access. No access will be given to Sawyer Avenue, therefore eliminating additional traffic into the adjacent residential neighborhood.

4. Building and landscape materials are appropriate for the area and for the City;

The building and landscape materials are appropriate for the area and for the City. The building will have a stucco finish, feature a stone veneer accent, and utilize a subtle paint scheme. The landscape materials proposed are slow and fast-growing drought tolerant plants that will create a development with a climate appropriate landscape buffer.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The building elevations and design characteristics are not unsightly or obnoxious in appearance. The materials, colors, screening and design used will create a harmonious project which will be an enhancement to the overall character of the surrounding neighborhood.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed development will be subject to regular inspections for licensing, and therefore the development will not compromise the public health, safety or welfare.

PLANNING COMMISSION ACTION

The Planning Commission amended conditions 3 and 21 as shown to which the applicant agreed. In addition there were two speakers in opposition and two speakers in agreement with this project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

7

ASSEMBLY DISTRICT 6

SENATE DISTRICT 4

NOTICES MAILED 874 by City Clerk

APPROVALS 3

PROTESTS 4